

**TOWN OF CHESTER
PLANNING BOARD MINUTES
August 6, 2014**

Minutes of the August 6, 2014 Planning Board Meeting

Members present: Don Serotta, Chairman, Frank Gilbert, Robert Conklin, Carl D'Antonio, Stephen Denes, Barry Sloan

Also present: Alfred Fusco, Engineer

Steve Denes arrived at 7:10 p.m.

The meeting was called to order at 7:00 p.m.

A motion was made by Carl D'Antonio and seconded by Frank Gilbert to adopt the minutes from the July 16, 2014 meeting. The motion passed with a 5-0 vote.

SCARLET'S WAY SITE PLAN – Jim Dillin, surveyor for the applicant, appeared before the Board to present a site plan for Scarlet's Way, a dog boutique, located at 1361 King's Highway. He stated the property is located in the LBSL zone. Presently, there is a house on the parcel which is 28' x 55' consisting of a retail store on the first floor and a two bedroom apartment on the second floor. Also, there is an herb shop existing on the site with a gravel parking lot for 3 or 4 cars. He said the applicant plans to have the exact same uses. The herb shop will stay. The existing building will be taken down and replaced with a 28' x 44' building. It will be moved back 15' to comply with zoning. There will be a 20' setback for the porch. The county in their review wanted to have 25' from the center line so they could control it. The county is requiring an upgrade to the existing driveway by widening it because the drainage runs along the edge of the road and the county was concerned about that. Jim Dillin said we made provisions in the driveway to make a swale so the water won't run over onto the Zungoli property. It will be funneled down to an existing catch basin. The parking lot will be touched up with a new gravel area, which will provide for 7 cars. We do have a future plan, if this gets overloaded and we need more parking, this parking can be rearranged and we can put 11 spaces. Along with the parking, we are going to have lantern lighting which is considered moderate lighting. There will be a handicap walk that runs from the parking area to a new sidewalk along the entire frontage of the property. There is an existing septic system in the back which was newly put in. There is a well which be modernized and brought up to regulation. The county has asked us to remove an entrance on the right side because they do not like to have two entrances off the county road. There is a dumpster area. To be in compliance with the stormwater, we are going to be catching the roof water and putting it into a rain garden. Chairman Serotta asked about the signs that would be used. Jim Dillin said the same three signs would be used from the previous location of the business which was on Wood Road. Chairman Serotta stated that architectural review was already granted for the signs the last time the applicant came before the Board when the dog boutique was located at 62 Wood Road.

Stephen Brander, architect for the applicant, presented to the Board samples of the material that will be used for the new structure. He presented samples of trim work, metal roof over the porch, samples of roofing, vinyl siding and pictures of the stone to be utilized. The vinyl siding

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is a beveled siding and it is colonial white. He continued to describe in detail the materials that will be used in the building.

Al Fusco submitted the following letter:

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- 233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
Fax: (845) 956-5865
- 19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866

August 4, 2014

Don Serotta, Chairman
Town of Chester Planning Board
1786 Kings Highway
Chester, NY, 10918

Re: Site Plan for Scarlet's Way
Kings Highway

Dear Mr. Serotta and Planning Board Members,

We have reviewed the file offer the following:

Project: Site Plan for Scarlet's Way and dated July 21, 2014
Zone: LB-SL District
Acres: 0.585 acres
SBL: 14-6-12

Project Description: This project is a site plan to remove an existing 1 1/2 story building and replace it with a two story building, the first floor is proposed to be a retail store and the second floor is proposed to be a residence. The property is served by its own private well and is located in the 4A Sewer District.

The following items are listed to assist the applicant in completing your submission to the Planning Board. Please note that this is only a guide, as the plan progresses other items may be listed in future meetings. If you need further assistance please contact this office.

Comments: We have reviewed the site plan and offer the following comments for planning board review.

1. All of our comments have been addressed.

This concludes our review at this time.

Action:

1. Pleasure of the Board.

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Please advise if you have any questions.

Very truly yours,



Alfred A. Fusco, Jr., P.E.
Fusco Engineering & Land Surveying, P.C
AAF/sdb

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Al Fusco reviewed the letter he submitted.

Chairman Serotta stated that the project sits on a county road so it was referred to the Orange County Department of Public Works. They submitted the following letter:

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Steven M. Neuhaus
County Executive

**ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS**

Charles W. Lee, P.E.
Commissioner

P.O. Box 509, 2455-2459 Route 17M
Goshen, New York 10924-0509

www.orangecountygov.com

TEL (845) 291-2750

FAX (845) 291-2778

July 25, 2014

Donald Serotta, Chairman
Town of Chester Planning Board
1786 Kings Highway
Chester, New York 10918

Re: Scarlet's Way – Site Plan
County Road No. 13 – Kings Highway
Sugar Loaf
Plans by: James A. Dillin, PLS, PC
Dated: June 9, 2014, last revised: July 21, 2014
Sheets: 1 through 4 of 4

Dear Mr. Serotta:

This Department has reviewed the plans for the above referenced project and Orange County Department of Public Works approval is hereby granted under the provisions of Section 239 of the General Municipal Law and Section 136 of the Highway Law.

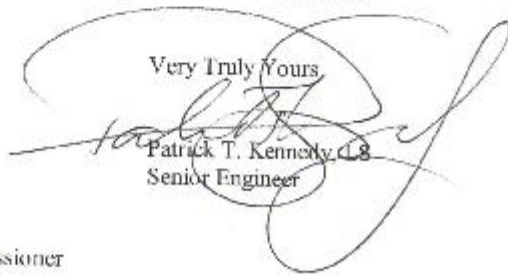
Please note the proposed Stop Sign must be mounted on a Breakaway Post.

A Highway Work Permit must be secured from the Orange County Department of Public Works under Section 136 of the Highway Law prior to any site preparation or construction.

The required right of way dedication must be completed prior to final construction approval and release of the Performance Deposit by this Department.

If you have any questions please contact this Office at your earliest convenience.

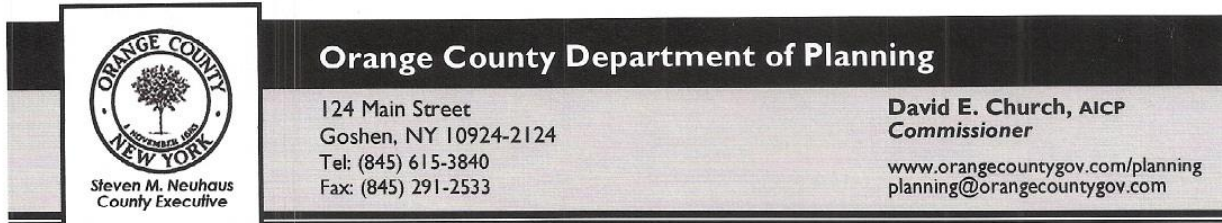
Very Truly Yours,


Patrick T. Kennedy, C.E.
Senior Engineer

Cc: Charles W. Lee, PE, Commissioner
Christopher Viebrock, PE, Deputy Commissioner
Joseph Stankavage, PE, Principal Engineer
James A. Dillin, PLS, PC

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The Orange County Planning Department was contacted and submitted the following letter:



**County Reply – Mandatory Review of Local Planning Action
as per NYS General Municipal Law §239-l, m, & n**

Local Referring Board: Town of Chester Planning Board
Applicant: Nicholas and Elaine Scarane
Project Name: Scarane
Proposed Action: Site Plan for demolition of existing building and new construction of 1232 square foot retail and residential mixed-use building
Reason for County Review: Within 500 feet of County Route 13 (Kings Highway)
Date of Full Statement: July 1, 2014

Referral ID #: CHT 02-14M
Tax Map #: 14-6-12
Local File #: none provided

Comments:

The Department has received the above referenced site plan and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We have no advisory comments regarding this application.

County Recommendation: Local Determination

Date: July 17, 2014

Prepared by: Megan Tennermann, AICP, Planner


**David Church, AICP
Commissioner of Planning**

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available online at www.orangecountygov.com/planning.

Chairman Serotta reviewed an e-mail submitted by Cliff Patrick, town historian, who researched the age of the existing house; he talked about the cemetery in the area.

Chairman Serotta asked the Board for questions and comments. Frank Gilbert asked for a rear elevation drawing of the proposed building. Steve Branden presented hard copies of the rear

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elevation. Frank Gilbert asked if there is a lighting plan. Chairman Serotta said it is shown on the front page of the plan. Frank Gilbert asked about the distance from the septic to the well. Jim Dillin said we are not changing anything as far as that distance. We are moving the tank further away from the well. We are moving everything back 20 feet. Al Fusco said it is acceptable because it is pre-existing.

Carl D'Antonio asked Jim Dillin about the dumpster he referred to in the back of the building. He asked if a truck is going to be able to get to it. Jim Dillin said there is no dumpster; he meant to say garbage enclosure, not a dumpster.

Chairman Serotta opened the public hearing. Let the record reflect that the proper mailings were sent out and the proper notice was published in the Times Herald Record. Chairman Serotta read a letter that he received from Jay Westerveld from the Sugar Loaf Historical Society. The letter was in support of the project.

Don Duke from the Sugar Loaf Architectural Advisory Board submitted the following letter dated September 20, 2007:

Architectural Advisory Committee
P.O. Box 106
Sugar Loaf, N.Y. 10981

September 20, 2007

Raymond G. Johanson
Planning Board
P.O. Box 400
Chester, N.Y. 10918

Dear Mr. Chairman:

The LB-SL Architectural Advisory Committee (AAC) supports the opinion of the Planning Board that the use of vinyl siding in the village of Sugar Loaf is inappropriate. Specifically, in the Hoferkamp architectural review at the September 5 meeting, the use of wooden siding or "Hardyboard" (tm) style solid composite clapboard siding was recommended.

Although no further discussions occurred between the AAC and the applicant, we assume that this decision stands and has been incorporated into the new plans. No additional issues were raised with respect to architectural review.

We are always available for consultation on architectural matters affecting the LB-SL zone. Thank you for your consideration of our community's concerns.

Respectfully yours,



Don Duke
AAR Chairman

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Don Duke introduced himself and stated the letter was in reference to another project that was actually never built. He stated that in that discussion, before this board, it was determined that vinyl siding really had no place in Sugar Loaf. He said that was the opinion of both the Planning Board and our review committee. Chairman Serotta said this board approved a home in Sugar Loaf with vinyl siding about a year ago.

Don Duke said you have an opportunity to build a new house, you have an existing novelty siding on the house, you have novelty siding on the Zungoli house, and cedar siding on the house that is on the other side which is the leather shop. We feel that having reached a consensus on this, I think going forward, regardless of what has been done in the past, we would like to see some attention to a decision that I thought had already been made.

Nick Scarane, owner of the property, said in response to Don Duke I agree with him we are going with hardie plank with cedar, I do not want vinyl siding. Steve Branden said with regard to hardie plank it is more labor intensive siding to put on a building. Wood requires more up-keep so when we start receiving bids on this with regard to the cost to produce this building, then we can make that decision. With regard to the hardie plank, I have no problems in designing it with hardie plank.

Chairman Serotta asked if anyone else wanted to speak for or against the project before closing the public hearing. No one else spoke. A motion was made by Frank Gilbert and seconded by Steve Denes to close the public hearing. The motion passed with a 6-0 vote.

Chairman Serotta said we can vote on Architectural Review tonight. He asked Steve Branden for a decision on the siding. Steve Branden said we have vinyl siding indicated on the drawings, but tonight we got approval from the owner to use hardie plank, so we will go with hardie plank.

Chairman Serotta polled the Board for questions and comments. The Board had no comments.

A motion was made by Frank Gilbert and seconded by Steve Denes to grant Architectural Review for the building, the three existing signs, and the change from vinyl siding to hardie plank on the building. The motion passed with a 6-0 vote.

Steve Denes asked if the parking lot as shown is to be installed. Jim Dillin said that's proposed. Jim Dillin said we show proposed if we needed 11 spaces.

Chairman Serotta scheduled the applicant for August 20, 2014 at 7:00 p.m. for final approval.

THEODOREU SUBDIVISION – Chairman Serotta recused himself for this application and Barry Sloan substituted as chairman. Jim Dillin, surveyor for the applicant, appeared before the Board for a two lot subdivision. Jim Dillin stated it is a 6.8 acre parcel located on a private road called Deer Trail. Presently, there are two existing single family homes that are occupied. We are creating a subdivision by dividing the 6.8 acres into 2 conforming lots. It is located in the AR.3 zone where 3 acres is required. Both of these lots totally conform to Chester bulk regulations. The only thing that did not comply on the new lot number 3A is that it had zero

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road frontage. A 280-A variance was granted on March 24, 2014 from the ZBA, which allows you to have a lot which fronts on a private road. This makes this subdivision totally in compliance with Town of Chester zoning code.

Chairman Sloan opened the public hearing. Let the record reflect that the proper mailings were sent and the notice was published in the Times Herald Record. Let the record reflect that the agricultural statement was sent to AG property within 500 feet. Chairman Sloan asked if anyone would like to speak for or against the application. No one spoke.

A motion was made by Steve Denes and seconded by Carl D'Antonio to close the public hearing. The motion passed with 5-0 vote.

Chairman Sloan scheduled the applicant for August 20, 2014 at 7:10 p.m. for final approval.

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Roxanne Serotta
Planning Board Secretary